

**MINUTES OF THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**August 19, 1998**

## DIVISION ONE

B113511 People (Not for Publication)

V.

Gonzales, et al.

The judgments are affirmed.

Masterson, J.

We concur: Ortega, Acting P.J.

Vogel (Miriam A.), J.

B110886 People (Not for Publication)

V.

Curtis

The judgment is affirmed.

Masterson, J.

We concur: Spencer, P.J.

Ortega, J.

B115170 People (Not for Publication)

V.

Lopez

The judgment is affirmed.

Masterson, J.

We concur: Vogel (Miriam A.), Acting P.J.

Dunn, J. (Assigned)

August 19, 1998-Continued

## DIVISION ONE (Continued)

B120155      Johnson      (Certified for Publication)  
v.  
The Superior Court of Los Angeles County  
Tate

The petition for a writ of mandate is granted. Let a peremptory writ issue compelling respondent court to vacate its order of February 25, 1998; to issue a new order granting the motion for protective order; and to conduct further proceedings in conformance with this opinion. The parties are to bear their own costs in this proceeding.

Masterson, J.

We concur: Spencer, P.J.  
Vogel (Miriam A.), J.

DIVISION THREE

B111508      Doris Jordan                      (Not for Publication)  
v.  
County of Los Angeles, et al.

The judgment is affirmed.

Aldrich, J.

We concur: Klein, P.J.  
Goodman, J. (Assigned)

B111252      Jacqueline Bielinski      (Not for Publication)  
v.  
Charles I. Firestein

Order of dismissal affirmed. Plaintiff and appellant Bielinski is to bear the costs on appeal.

Aldrich, J.

We concur:   Croskey, Acting P.J.  
                      Goodman, J. (Assigned)

DIVISION THREE (Continued)

B114812      Los Angeles County, D.C.S.      (Not for Publication)  
                 v.  
                 Mahmoud M.

The orders appealed from are affirmed.

Aldrich, J.

We concur:   Klein, P.J.  
                 Goodman, J. (Assigned)

B118913      Los Angeles County, D.C.S.      (Not for Publication)  
                 v.  
                 Calvin L.

The judgment is affirmed.

Aldrich, J.

We concur:   Klein, P.J.  
                 Croskey, J.

B113950      People      (Not for Publication)  
                 v.  
                 Dukes

The judgment is affirmed. The abstract of judgment is ordered corrected to conform to the oral sentence as pronounced, ordering Dukes to pay a restitution fine of \$200.

Aldrich, J.

We concur:   Klein, P.J.  
                 Croskey, J.

August 19, 1998-Continued

### DIVISION THREE (Continued)

B109257 People (Not for Publication)

V.  
Mosley

The abstract of judgment is modified to reflect the stayed term of eight years for count II. It also is modified to reflect that appellant was convicted by jury. In all other respects, the judgment is affirmed.

Aldrich, J.

We concur:   Croskey, Acting P.J.  
                    Goodman, J. (Assigned)

B117500 People (Not for Publication)

v.  
Butler

The judgment is affirmed.

Aldrich, J.

We concur:   Croskey, Acting P.J.  
                    Kitching, J.

B117500 People (Not for Publication)

v.  
Butler

The judgment is affirmed.

Aldrich, J.

We concur:   Croskey, Acting P.J.  
                  Kitching, J.

August 19, 1998-Continued

### DIVISION THREE (Continued)

[illegible]

The trial court is directed to prepare an amended abstract of judgment to reflect that two Penal Code section 667.5 subdivision (b) enhancements were stricken and forward the corrected abstract of judgment to the Department of Corrections. In all other respects, the judgment is affirmed.

Aldrich, J.

We concur:   Croskey, Acting P.J.  
                  Goodman, J. (Assigned)

B107433 People (Not for Publication)  
v.  
Garcia

The judgment is affirmed.

Aldrich, J.

We concur:   Croskey, Acting P.J.  
                    Goodman, J. (Assigned)

[illegible]

The judgment is affirmed.

Aldrich, J.

We concur: Klein, P.J.  
Croskey, J.

August 19, 1998-Continued

### DIVISION THREE (Continued)

B108430 People (Not for Publication)  
v.  
Carr

The judgment is affirmed.

Aldrich, J.

We concur: Croskey, Acting P.J.  
Goodman, J. (Assigned)

DIVISION FOUR

B117528 People (Not for Publication)  
v.  
Grant

The judgment is affirmed.

Epstein, J.

We concur: Vogel (C.S.), P.J.  
Hastings, J.

B122407      Wilder      (Certified for Publication)  
v.

Superior Court, Los Angeles County  
(Los Angeles County Metropolitan Transportation Authority, r.p.i.)

The alternative writ, having served its purpose, is discharged. Let a peremptory writ of mandate issue compelling respondent court to set aside its order of May 5, 1998, which dismissed the petition, and to reconsider the petition in conformity with the views expressed herein. Petitioner's request for attorney fees is denied. Each party is to bear its own costs.

Cooper (F.M.), J. (Assigned)

We concur: Vogel (C.S.), P.J.  
Epstein, J.

DIVISION FOUR (Continued)

B106999     People  
              v.  
              Gustave

Filed order denying petition for rehearing.

DIVISION SIX

B116773     People                                 (Not for Publication)  
              v.  
              Prado

The judgment is affirmed.

Coffee, J.

We concur:    Stone, P.J.  
                      Yegan, J.

B122583     Dian F.                                 (Not for Publication)  
              v.  
              Superior Court of SLO  
              SLO Dept. of Social Services

The petition is denied.

Stone, P.J.

We concur:    Gilbert, J.  
                      Coffee, J.

August 19, 1998-Continued

DIVISION SIX (Continued)

[illegible]

The judgment of conviction is modified to reduce the sentence to 130 years to life. Appellant is awarded six days presentence custody credit. The trial court is directed to issue an amended abstract of judgment. (§ 1260.) The judgment in all other respects is affirmed.

Yegan, J.

We concur:    Gilbert, Acting P.J.  
                     Coffee, J.

[illegible]

The judgment is affirmed.

Stone, P.J.

We concur: Gilbert, J.  
Coffee, J.

B114362      Collins      (Not for Publication)  
v.  
State of California

The judgment is affirmed. English's request for sanctions is denied. Costs to respondents.

Yegan, J.

We concur:     Stone, P.J.  
                         Gilbert, J.



August 19, 1998-Continued

DIVISION SIX (Continued)

B115957 People (Not for Publication)

V.  
Delgadillo

The trial court shall amend the abstract of judgment to reflect the \$500 restitution fine and forward the amended abstract of judgment to the Department of Corrections. The judgment otherwise is affirmed.

Gilbert, Acting P.J.

We concur: Yegan, J.  
Coffee, J.

B113448 People (Not for Publication)

V.  
Wright

The judgment is affirmed.

Gilbert, Acting P.J.

We concur: Yegan, J.  
Coffee, J.

B115138 People (Not for Publication)

V.  
McNutt

The judgment is affirmed.

Gilbert, Acting P.J.

We concur: Yegan, J.  
Coffee, J.

August 19, 1998-Continued

DIVISION SEVEN

[illegible]

The judgment is affirmed.

Lillie, P.J.

We concur: Woods, J.  
Neal, J.

B116577 People v. Burton (Not for Publication)

---

The judgment is affirmed.

Lillie, P.J.

We concur: Woods, J.  
Neal, J.

B114797      People                          (Not for Publication)  
v.  
Diaz

The judgment is affirmed.

Lillie, P.J.

We concur: Woods, J.  
Neal, J.

August 19, 1998-Continued

DIVISION SEVEN (Continued)

B118470 People (Not for Publication)  
v.  
Cox

The judgment is affirmed.

Lillie, P.J.

We concur:   Johnson, J.  
                      Neal, J.

[illegible]

The judgment is affirmed.

Lillie, P.J.

We concur:   Johnson, J.  
                      Woods, J.

B110625      Elijan R.      (Not for Publication)  
v.  
Superior Court, Los Angeles County  
(Los Angeles County Dept. of Children Services, r.p.i.)

The petition is denied on the merits.

Woods, J.

We concur: Lillie, P.J.  
Johnson, J.

August 19,1998-Continued

DIVISION SEVEN (Continued)

B113022      Bostanian, et al.      (Not for Publication)

v.

The Escrow Forum, Inc.

The judgment is affirmed. Respondent to recover costs on appeal.

Woods, J.

We concur:   Lillie, P.J.  
                     Johnson, J.

B113351      Los Angeles County, D.C.S. v. Lora R.      (Not for Publication)

B115793      In re Lora R. on Habeas Corpus

The writ petition is denied. On appeal, the juvenile court's April 22, 1997, orders terminating Lora R.'s parental rights as to Marissa T. and identifying adoption as the permanent placement plan for Marissa T. are affirmed.

Woods, J.

We concur:   Johnson, Acting P.J.  
                     Neal, J.

B113920      People      (Certified for Publication)

v.

Fitzpatrick

The judgment is affirmed.

Woods, J.

We concur:   Lillie, P.J.  
                     Neal, J.

August 19, 1998-Continued

DIVISION SEVEN (Continued)

B115160      People                      (Not for Publication)  
v.  
Anderson

The judgment is affirmed.

Woods, J.

We concur:   Johnson, Acting P.J.  
                      Neal, J.

B113864 People (Not for Publication)  
v.  
Cardenas

The judgment is affirmed.

Woods, J.

We concur: Johnson, Acting P.J.  
Neal, J.

B096187      People                                  (Not for Publication)  
v.  
Wells, et al.

The judgments are affirmed.

Woods, J.

We concur:   Johnson, Acting P.J.  
                      Neal, J.

August 19,1998-Continued

DIVISION SEVEN (Continued)

B112350      People v. Contreras      (Not for Publication)  
B118781      In re Emilio Contreras on Habeas Corpus

The petition is denied. The judgment is affirmed.

Woods, J.

We concur:    Lillie, P.J.  
                     Johnson, J.

B115936      People      (Not for Publication)  
                     v.  
                     Caldwell

The judgment is affirmed.

Woods, J.

We concur:    Johnson, Acting P.J.  
                     Neal, J.

B116734      People      (Not for Publication)  
                     v.  
                     Martin

The judgment is affirmed.

Woods, J.

We concur:    Lillie, P.J.  
                     Johnson, J.

August 19, 1998-Continued

DIVISION SEVEN (Continued)

[illegible]

The judgment is modified to impose concurrent terms for the burglaries in counts 1 and 2. In all other respects, the judgment is affirmed. The superior court will cause a modified abstract of judgment be sent to the California Department of Corrections reflecting the change in the judgment.

Lillie, P.J.

I concur: Johnson, J.  
I dissent: Woods, J. (Opinion)